

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:19-cr-121-BO(3)

UNITED STATES OF AMERICA)
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)
MORGAN JEFFREY SHEPARD)

v.

INDICTMENT

The Grand Jury charges that:

Count One

Beginning in or around September 2016, and continuing through in or around November 2016, in the Eastern District of North Carolina, the defendant, MORGAN JEFFREY SHEPARD, did knowingly employ, use, persuade, induce, entice, and coerce Victim #1, a minor, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct. These visual depictions were transported and transmitted using any means and facility of interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Two

Beginning in or around September 2016, and continuing through in or around November 2016, in the Eastern District of North Carolina, the defendant, MORGAN JEFFREY SHEPARD, did knowingly use any facility and means of interstate and

foreign commerce to persuade, induce, entice, and coerce any individual who had not attained the age of 18 years, Victim #1, to engage in any sexual activity for which any person can be charged under North Carolina state law, that is, sexual exploitation of a child (N.C.G.S. § 14-190.17), and under federal law, that is, production of child pornography (18 U.S.C. § 2251(a)); in violation of Title 18, United States Code, Section 2422(b).

Count Three

Beginning on or about April 23, 2018, and continuing through on or about April 27, 2018, in the Eastern District of North Carolina, the defendant, MORGAN JEFFREY SHEPARD, did knowingly use any facility and means of interstate and foreign commerce to attempt to persuade, induce, entice, and coerce any individual who had not attained the age of 18 years, Victim #2, to engage in any sexual activity for which any person can be charged under North Carolina state law, that is, sexual exploitation of a child (N.C.G.S. § 14-190.17), and under federal law, that is, production of child pornography (18 U.S.C. § 2251(a)); in violation of Title 18, United States Code, Section 2422(b).

Count Four

On or about April 25, 2018, in the Eastern District of North Carolina, the defendant, MORGAN JEFFREY SHEPARD, did knowingly use any facility and means of interstate and foreign commerce to attempt to attempt to persuade, induce, entice, and coerce any individual who had not attained the age of 18 years, Victim #3, JB/SN

to engage in any sexual activity for which any person can be charged under North Carolina state law, that is, indecent liberties with a child (N.C.G.S. § 14-202.1), and under federal law, that is, production of child pornography (18 U.S.C. § 2251(a)); in violation of Title 18, United States Code, Section 2422(b).

Counts Five Through Eleven

Beginning at a time unknown and ending on or about July 13, 2017, in the Eastern District of North Carolina, MORGAN JEFFREY SHEPARD, the defendant herein, did knowingly receive the following visual depictions, that is, digital images in files that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by electronic device:

Count	Date	File Name
Count 5	5/08/2015	caf69dea-92fd-48ee-ad47-f87b1e77aa44.jpg
Count 6	5/08/2015	f4c8a0f7-f84a-468d-852e-3bd5485e5d2b.jpg
Count 7	8/28/2016	received_1055413_964572911.jpeg
Count 8	9/22/2016	Screenshot_2016-09-22-20-43-56.png
Count 9	10/06/2016	2016_10_06_19_56_49.mp4
Count 10	10/12/2016	2016_10_12_09_29_01.mp4
Count 11	10/13/2016	2016_10_12_18_40_28.mp4

The productions of the foregoing visual depictions involved the use of a minor engaging in sexually explicit conduct and were depictions of such conduct. Each entry in the above table constituting a separate violation of Title 18, United States Code, Section 2252(a)(2).

Count Twelve

On or about July 13, 2017, in the Eastern District of North Carolina, MORGAN JEFFREY SHEPARD, the defendant herein, did knowingly possess one or more matters, that is, computer hard drives and digital media containing digital images and videos, the production of which involved the use of one or more minors, engaging in sexually explicit conduct, and which images visually depicted such conduct. The images and videos had been mailed, shipped and transported in interstate and foreign commerce and by use of means and facilities of interstate commerce, i.e., the Internet, and were produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, by any means including by computer, all in violation of Title 18, United States Code, Section 2252(a)(4)(B).

[Remainder of page intentionally left blank]

FORFEITURE NOTICE

Upon conviction of one or more of the offenses set forth in Counts One through Twelve above, MORGAN JEFFREY SHEPARD, the defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 2253(a):

1. any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of the offense(s);
2. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and
3. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s) or any property traceable to such property.

Upon conviction of the offense set forth in Counts Two through Four above, MORGAN JEFFREY SHEPARD, the defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 2248:

1. any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense; and
2. any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offense.

The forfeitable property includes, but is not limited to: a Samsung Galaxy Note 4 cell phone and a Samsung 64 GB Micro SD memory card, seized on July 13, 2017.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON

DATE: July 23, 2019

ROBERT J. HIGDON, JR.
United States Attorney

By:



JAKE D. PUGH

Assistant United States Attorney
Criminal Division